(1) Single Bench

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 290 /2005

PETITIONERS:-

1) Upendra Singh Yadav
S/O- Madan Sing Yadav
Aged about 26 years
Constable no. 292
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

2) Shiv Singh Kuswa
S/O- Ram Singh Kuswa
Aged about 28 years
Constable no. 277
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

3) Amar Singh Baghel
S/O- Asharam Baghel
Aged about 31years
Constable no. 281
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

4) Raghvendra Rajoriya
S/O- Rameshwar Prasad Rajoriya
Aged about 32 years
Constable no, 677
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

5) Ashish Kumar Tripathi
S/O- Prabhu Dayal Tripathi
Aged about 28 years
Constable no. 213
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

P.R. No. 2741/05 Presented by Shri Vishwas Mishra dated 24/1/05

20/01/05

COPY RECEIVED ... Counsel ... HIGH COURT

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6) Bidhichand Sharma
S/O- Siyaram Sharma
Aged about 28 years
Constable no. 345
2nd Battalion Special armed forces
Sakari (Bilaspur)
Distt- Bilaspur (C.G.)

VERSUS

RESPONDENTS:-

1) Union of India
Through- The Secretary
Ministry of Personnel
Public Grievances Depot
New Delhi

2) State of Chhattisgarh
Through- the Secretary
Home Department (Police)
D.K.S. Bhawan, Raipur (C.G.)

3) State of Madhya Pradesh
Through- The Secretary
Home (Police) Department
Vallabh Bhawan, Bhopal (M.P.)

4) The Director General of Police
Chhattisgarh Raipur (C.G.)

5) The Director General of Police
Madhya Pradesh Bhopal (M.P.)

6) Commandant
12 Battalion, Sakari
Distt- Bilaspur (C.G.)

WRIT PETITIONER UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

That the petitioners begs to submit as under:-

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

26

मामला क्रमांक W.P. 290/ **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-5-2005

On a mention being made, the matter is taken up for hearing.

Mr. Virendra Sharma, counsel for the petitioners.

Mr. Raghavendra Pradhan, Standing Counsel for Union of India/ respondent No.1

Mr. Akhil Agrawal, Panel Lawyer for the State of Chhattisgarh/ respondents No.2, 4 & 6.

Heard.

The petitioners, who are working in the 2nd Battalion Special Armed Force, Sakri, have moved this writ petition under Article 226/ 227 of the Constitution of India. Their case is that after re-organization of the State, the petitioners gave their option for the State of Madhya Pradesh as they are permanent residents of the State of Madhya Pradesh, being low paid employees, the respondents ought to have allocated their services to the State of Madhya Pradesh, but so far no order has been passed, their allocation has not been decided, and they are working in the State of Chhattisgarh only.

In the circumstances, learned counsel for the petitioners submits that the petitioners may be allowed to make a representation to respondent No.1 through respondents No.2 & 3 for allocation of their services to the State of Madhya Pradesh, to which learned counsel appearing for respondents No.1, 2, 4 & 6 have no objection.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.290/ **सन् 2005** 27

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and looking to the limited request made by learned counsel for the petitioners, the petitioners are allowed to make a representation to respondent No.1 through respondents No.2 & 3. In the first instance, the petitioners should make their representation to respondent No.2 within one month from today, in turn, respondent No.2 after receipt of the same shall forward it to respondent No.3 with its comments within three months from the date of receipt of the representation, and in turn, respondent No.3 again shall forward the same to respondent No.1 with its comments within another three months thereof, and ultimately, respondent No.1 after considering the recommendations of respondents No.2 & 3 and the request of the petitioners should pass appropriate order within another three months thereof, in accordance with law. With the directions aforesaid, the petition stands disposed of. In view of this order, M.(W.)P.No.254/2005 and I.A.No.617/2005 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Soma